Regulatory compliance, *Structure & Function of FSSAI*

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FOOD SAFETY

FSSAI

- An assurance that food is acceptable for human consumption according to its intended use

CODEX

- Assurance that food will not cause harm to the consumer when it is prepared and /or eaten according to its intended use

Premise

Section 3.1(zi) : "Premises" include

any

shop,

stall,

hotel,

restaurant,

airline services and

food canteens,

place or

vehicle or

vessel

where any article of food is **sold or manufactured or stored for sale.**

Food safety [3.1(q)]

Food safety means assurance that food is acceptable for human consumption according to its intended use.

01 Safety

Shall not have detrimental effects

02 Quality

Meeting quality norms

03 Packaging

Securely packed.

04 Labeling & Presentation

Appropriately labelled.

Food Safety Issues

- Physical Hazards
- Chemical Hazards
- Biological Hazards

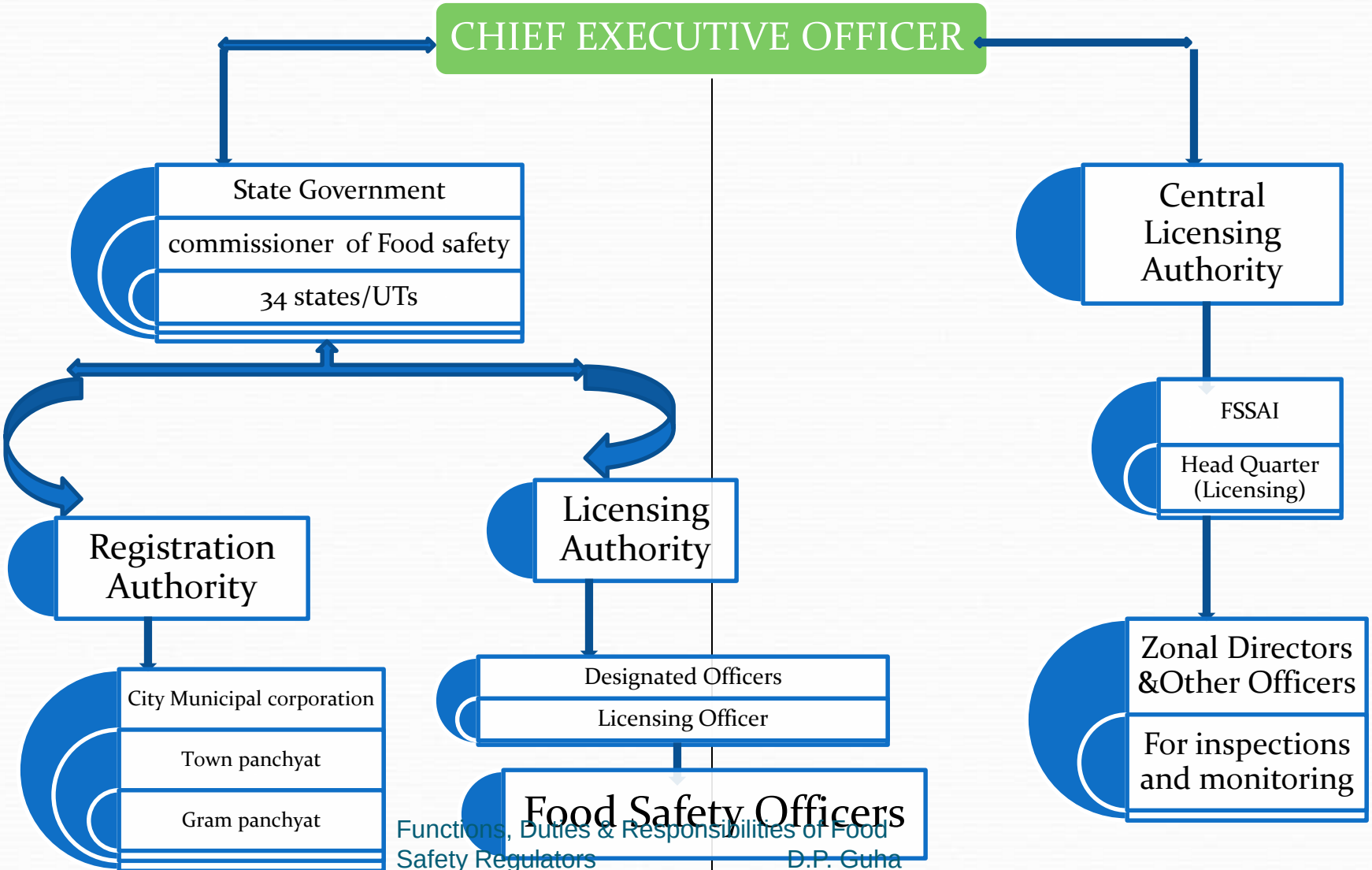
* **Allergens**

Important Pillars of National Food Control System

- Legislation/Regulation
- Inspection
- Analysis/Testing
- Enforcement

Food Safety and Standards Authority of India

FRAMEWORK OF FOOD SAFETY | REGULATORS



STRUCTURAL FRAMEWORK

Science & Standards	Standards development and work in coordination with Scientific Panels and Scientific Committee
Regulation / CODEX	Framing and notifying the food safety regulations As National CODEX Contact point the division coordinates CODEX related activities
Quality Assurance	Developing and upgrading the lab ecosystem of the country
Regulatory Compliance	Licensing and registration mechanisms
Imports	Monitors the import of food products coming to the domestic market
SBCD	Social and behavioural changes among the stakeholders including consumers
Information Technology	All matters related to Information Technologies for FSSAI.
Finance	All matters related with Finance, Account and Audit
Vigilance	All vigilance matters in respect of FSSAI's officials
International Cooperation	All matters related with International Cooperation
HR	Overall Human Resource Management for FSSAI
General Arrangement	All matters related to general arangements including public grievances, RTI, Parliament questions and Rajbasha
Legal	All legal matters pertain to FSSAI
Training	Training of FBOs, Regulatory Staff and FSSAI's Officials

All the vertical and horizontal SPs are listed below-

Horizontal Panels	Vertical Panels
Food additives, Flavourings, Processing aids & Materials in contact with food	Functional foods, Nutraceuticals, Dietetic Products and Other similar products
Pesticides Residues	Fish and Fisheries Products
Antibiotic Residues	Cereals, Pulses & Legume and their products (including Bakery)
Genetically Modified Organisms and Foods	Fruits & Vegetables and their products (including dried fruits and nuts)
Biological Hazards	Meat & Meat Products, including poultry
Contaminants in the Food Chain	Milk & Milk Products
Labelling and Claims/Advertisements	Oils & Fats
Method of Sampling and Analysis	Sweets, Confectionery, Sweeteners Sugar & Honey
Nutrition and Fortification	Water (including flavoured water) & Beverages (non-alcoholic)
Packaging	Spices and Culinary Herbs
	Alcoholic Beverages

Food Authority (FSSAI)

- to regulate and monitor the manufacture, processing, distribution, sale and import of food so as to ensure safe and wholesome food.
- standards and guidelines
- the limits for use of food additives, Toxin, contaminants, residues
- accreditation of certification bodies
- Imported Food Control
- accreditation of laboratories
- the method of sampling, analysis

Cont.

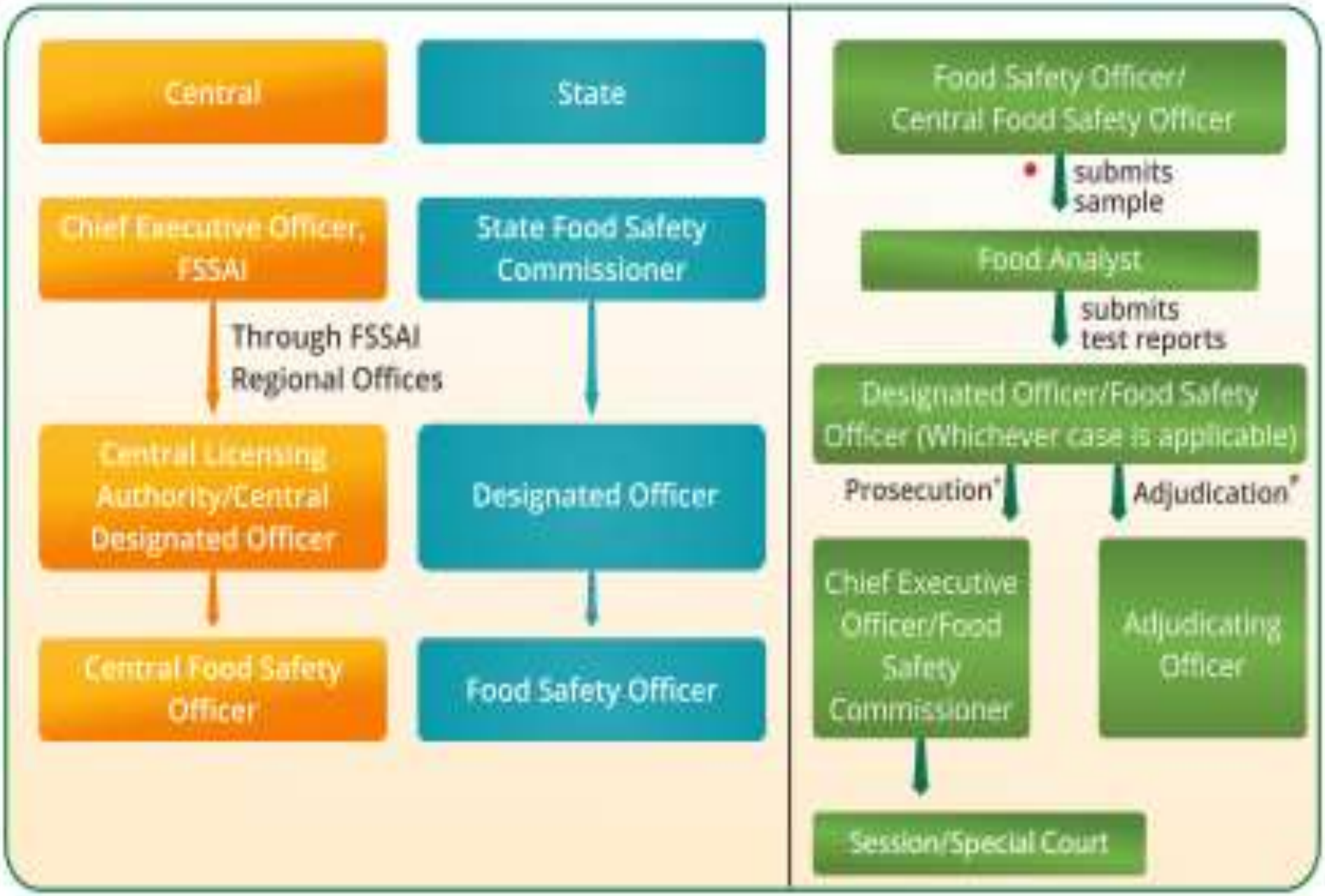
- conduct survey
- food labelling
- Risk analysis
- scientific advice and technical support to the Central Government

Clause 29 Enforcement

(1)The food authority and the state food authorities shall be responsible for the enforcement of this act

(2) The food authority and the state food authorities shall monitor and verify the relevant requirements of law are fulfilled by the Food Business Operators at all stages of food business

ENFORCEMENT STRUCTURAL AND FUNCTIONAL FRAMEWORK



Food Safety Commissioner

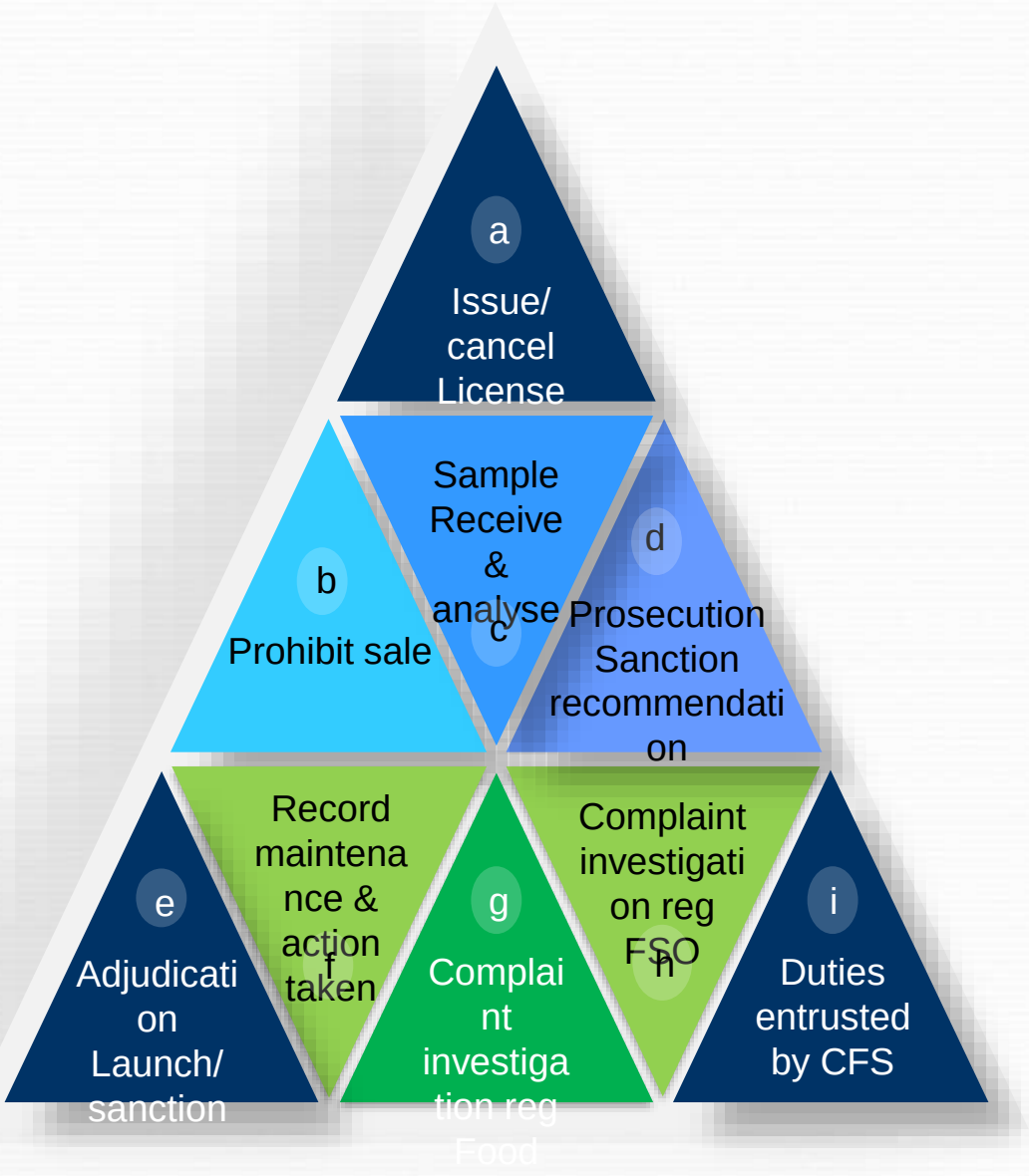
(As per section 30 of the FSS Act,)

- prohibit in the interest of public health, the manufacture, storage, distribution or sale of any article of food
- carry out survey for various articles of food;
- conduct or organise training programmes
- ensure an efficient and uniform implementation
- sanction prosecution
- Delegation of power

Designated Officer

- District level
- Issue or cancel licence
- to prohibit the sale of any article of food
- Report of Samples get them analyzed
- Recommendations to launch prosecutions
- to sanction or launch adjudication
- to maintain record
- to get investigated any complaint
- to perform such other duties
- the refund of fee for analysis paid by the purchaser
- ensure timely disposal of redundant samples,

Section 36(3) Functions of DO



RULE 2.1.2(2) Powers and Duties of DO

(i) What ?

As mentioned in Section 36(3) of FSS Act

(ii) Under Whom?

Function under Collector/ District magistrate

(iii) Payment

Refund of Cost of sample + Cost of analysis to the purchaser

(iv) Sample

Disposal of redundant samples

(v) Admin. powers

Suspend/ cancel/ revoke license to ensure **Public Health**

Food Safety Officer.

Role and Responsibilities of Food Safety Officer

- Sampling of foods and any other substances
- Sampling for Food safety surveillance and survey studies

- Inspections for registration and licensing routine periodic inspections of premises.Ins
- Compliance and audit investigations
- Scrutiny of label of food products

- Training of Food Business Operators to implement FSMS plans
- General awareness of consumer
- Facilitate the FBOs and Municipalities/panchayats to prepare food safety management plans

- Incident of food Poisoning in his area and to send report to and assist the designated officer to enable him to initiate corrective action. Acording to FSS rules 2.1.3 (4) (M)

DUTIES AND FUNCTIONS OF FOOD SAFETY OFFICER

- carry out inspections of all food establisments within the area assigned
- carry out periodic inspections of licensed food establishments
- Sampling of food articles for enforcement and surveillance
- Examination of label
- must maintain records of all inspections, available to DO
- can recommend issuance of improvement notices by the DO to FBOs.

Cont.

- serves the Prohibition Order on FBOs on instruction of the court
- The process of lifting of the Prohibition Order starts with the FSO
- serve an Emergency Prohibition Order on FBOs on instruction of the DO
- The FSO initiates the adjudication process on instruction of the DO
- can search and seize any adulterant
- to be examined by a qualified medical professional duly authorized by the DO
- The FSO can stop and inspect any vehicle suspected to contain any unsafe food

37. Food Safety Officer.

38. Powers of Food Safety Officer.

39. Liability of Food Safety Officer in certain cases.

RULE 2.1.3(4) Combined duties of DO and FSO

(ii) **Authorize** doctor to examine food handler suffering from illness + intimate him/ her to not take part in FB activity

(iii) (h) FSO to maintain all **inspection record** of all inspection and to submit copies to DO

(iii) (a) DO prescribe **frequency** of inspecting licensed premises (carried out by FSO)

(iii) (k) FSO to recommend to DO reg suitable action based on **cond.violations** of FBO

(iii) (b) FSO verifies the compliance of all the **conditions** of licenses & report to DO

(iii) (m) FSO to assist DO in taking action incidents of **Food poisoning**

(iii) (g) FSO to recommend DO to issue of **I/N** to FBO

Adjudication officer & its power (Section 68 & 69)

- Adjudication officer:-ADM of district or above (Notified by State Govt)
- Have powers of a Civil Court
- Judicial proceedings as per section 193 and 228 of Bharatiya Nyaya Sanhita, 2023 (BNS)
- A court as per sections 346 of the Code of **Bharatiya Nagarik Suraksha Sanhita** **(BNSS)**
- Hear representation and decision based on inquiry
- Impose penalty for contravention and as per offence
- Quantum of penalty-due regard with Section 49

Thank
you